



**ORDINANCE BY
COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE**

ORDINANCE TRANSFERRING APPROPRIATIONS IN THE AMOUNT OF \$15,258.00 FROM CD-34, STREET AND SIDEWALK ASSESSMENT PROGRAM TO CD-574, HARRIS HOUSE FOR THE PURPOSE OF PROVIDING A PORTION OF THE NEEDED FUNDS TO SETTLE A CLAIM FOR DAMAGES ASSOCIATED WITH THE HARRIS HOUSE RENOVATION PROJECT; AND FOR OTHER PURPOSES.

WHEREAS, project CD-96/97/99/01-574/HM-01-23, Harris House Renovation, was a previously approved project of the City of Atlanta under its CDBG and HOME programs whereby a pass-through grant was to be awarded to Veterans Opportunity Resource Center, Inc. (VORCI) for renovation of its Harris House facility; and

WHEREAS, due to significant financial and performance issues of VORCI, which were documented in a program audit conducted by the Office of the Inspector General of the U. S. Department of Housing and Urban Development, the City of Atlanta determined to terminate the project prior to the start of construction; and

WHEREAS, the project was terminated by Ordinance 02-O-1670, adopted by the Council of the City of Atlanta, Georgia on November 4, 2002 and approved by the Mayor on November 8, 2002; and

WHEREAS, prior to termination the City of Atlanta had entered into a bid process to select the renovation contractor for the Harris House project, and had selected a contractor, FCS Construction Services, Inc.; and

WHEREAS, based on the notification of contract award, FCS Construction Services, Inc. incurred substantial costs in preparation for the implementation of construction; and

WHEREAS, upon termination of the contract FCS Construction Services, Inc. filed claim against the City of Atlanta seeking compensation for these costs; and

WHEREAS, the City Attorney has recommended payment of the claim in the amount of \$76,882.00; and

WHEREAS, of that amount, \$15,258.00 is permissible to be paid from CDBG grant funds.

WHEREAS, the Street and Sidewalk Assessment Program has sufficient funding for the project to continue to serve low-income persons in need of sidewalk repairs

WHEREAS, reallocating \$15,258.00 from the project will not have an adverse impact; and

WHEREAS, the City has obtained release of funds from the U.S. Department of Housing and Urban Development (HUD) for these projects, based on the filing of environmental clearances.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

Section 1: That the Twenty-Fourth Year CDBG Program be and is amended hereby as follows:

a. In program element **Homeless Facilities** by adding the project "Harris House Renovation" and the amount "\$15,258.00".

b. In program element **Public Improvements** by deleting in the project "Street and Sidewalk Assessment Program" the amount "\$100,000.00" and inserting in lieu thereof the amount "\$84,742.00".

Section 2: That the 2003 (Community Development Fund) Budget be and is amended hereby as follows:

TRANSFER FROM APPROPRIATIONS

1B01 M22P0404A58A 77****	1998 CDBG Program-Street and Sidewalk Assessment Program, CD-34 Capital Expenses	<u>\$ 15,258.00</u>
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TRANSFER TO APPROPRIATIONS

1B01 J11X0203A58J 79****	1998 CDBG Program-Reserve for Administration Reserve for Appropriations	<u>\$ 15,258.00</u>
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Section 3: That the 2003 (Community Development Fund) Budget be and is amended hereby as follows:

TRANSFER FROM APPROPRIATIONS

1B01 J11X0203A58J 79****	1998 CDBG Program-Reserve for Administration Reserve for Appropriations	<u>\$ 15,258.00</u>
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TRANSFER TO APPROPRIATIONS

1B01 Y46P1089A58A 72****	1998 CDBG Program-Harris House Renovations, CD-574 Other Operating Expenses	<u>\$ 15,258.00</u>
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Section 4: That all ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

A true copy,

Deputy Clerk

ADOPTED by the Council
APPROVED by the Mayor

JULY 07, 2003
JULY 12, 2003

RCS# 4853
7/07/03
4:05 PM

Atlanta City Council

Regular Session

CONS AGEN I Pgs 1 - 14 except:0715,0976
0852, 0950, 0946, 0963, 0926, 0975
ADOPT

YEAS: 15
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 0
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Boazman	B Woolard

		7/07/03 Full Council Meeting
ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 03-O-0850 2. 03-O-0949 3. 03-O-0955 4. 03-O-0909 5. 03-O-0961 6. 03-O-0553 7. 03-O-0925 8. 03-R-0981 9. 03-R-0956 10. 03-R-0965 11. 03-R-1033 12. 03-R-0920 13. 03-R-0945 14. 03-R-0966 15. 03-R-0967 16. 03-R-0968 17. 03-R-0969 18. 03-R-0977 19. 03-R-0978 20. 03-R-0979 21. 03-R-0889 22. 03-R-0940 23. 03-R-0941 24. 03-R-0942 25. 03-R-0943 26. 03-R-0944 27. 03-R-0962 28. 03-R-0983 29. 03-R-0984 30. 03-R-0985 31. 03-R-0986 32. 03-R-0987 33. 03-R-0988 34. 03-R-0989 35. 03-R-0991 36. 03-R-0992 37. 03-R-0994	38. 03-R-0989 39. 03-R-0991 40. 03-R-0992 41. 03-R-0994 42. 03-R-0995 43. 03-R-0996 44. 03-R-0997 45. 03-R-0998 46. 03-R-0999 47. 03-R-1000 48. 03-R-1001	49. 03-R-1002 50. 03-R-1004 51. 03-R-1005 52. 03-R-1006 53. 03-R-1007 54. 03-R-1008 55. 03-R-1009 56. 03-R-1010 57. 03-R-1011 58. 03-R-1012 59. 03-R-1013 60. 03-R-1014 61. 03-R-1015 62. 03-R-1016 63. 03-R-1017 64. 03-R-1018 65. 03-R-1019 66. 03-R-1020 67. 03-R-1021 68. 03-R-1022 69. 03-R-1023 70. 03-R-1024 71. 03-R-1025 72. 03-R-1026 73. 03-R-1027 74. 03-R-1028

Consent I Vote: 15 Yeas; 0Nays: (See RCS #4853)

Items Removed from the Consent Agenda: 03-O-0852; 03-O-0926; 03-O-0950; 03-R-0715; 03-R-0946; 03-R-963; 03-R-0975; 03-R-0976

03-0-0925
(Do Not Write Above This Line)

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COMMUNITY DEVELOPMENT/
HUMAN RESOURCES COMMITTEE

ORDINANCE TRANSFERRING
APPROPRIATIONS IN THE
AMOUNT OF \$15,258.00 FROM CD-
34, STREET AND SIDEWALK
ASSESSMENT PROGRAM TO CD-
574, HARRIS HOUSE FOR THE
PURPOSE OF PROVIDING A
PORTION OF THE NEEDED TO
SETTLE A CLAIM FOR DAMAGES
ASSOCIATED WITH THE HARRIS
HOUSE RENOVATION PROJECT;
AND FOR OTHER PURPOSES.

ADOPTED BY

JUL 07 2003

COUNCIL

First Reading
Committee CD/HRS
Date 6/19/03
Chair William Spawers
Referred To CD/HRS

Committee CD/HRS

Date 7/1/03

Chair William Spawers

Action

Fav, Adv, Hold (see rev. side)
Other

Members

William Spawers
William Spawers
William Spawers

William Spawers
William Spawers
William Spawers

Refer To

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)
Other

Members

Refer To

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)
Other

Members

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)
Other

Members

Refer To

Refer To

CERTIFIED

FINAL COUNCIL ACTION

☒ 2nd

☐ 1st & 2nd

☐ 3rd

Readings

☒ Consent

☐ V Vote

☒ RC Vote

CERTIFIED
JUL 07 2003

William D. Moore
COUNCIL PRESIDENT PROTEM

CERTIFIED
JUL 07 2003

Paul Douglas Johnson
MUNICIPAL CLERK

MAYOR'S ACTION

Paul Douglas Johnson
JUL 12 2003